

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

UNITED STATES OF AMERICA,

-against-

**ORDER**

21 CR. 355 (RMB)

ROBERT BALDUCCI,

Defendant.

-----X

The Court hereby designates and incorporates the Probation Memo, dated October 25, 2024, as Court Exhibit A to the supervised release hearing and transcript held on October 31, 2024. The Probation Memo advises that there has been a change (and reduction) of Special Conditions regarding the Supervisee's mental health and drug counseling. It does not reflect helpful reason(s) for the change or any application to and approval by the Court. Even more surprisingly, this reduction in the Supervisee's counseling was implemented following a DWI arrest of Supervisee on April 12, 2024 (while on supervision). And, no violation has been presented to this Court. A court appearance in the DWI case is scheduled for February 4, 2025 in Yorktown, New York Justice Court.

The Court is concerned that there has been no meaningful discussion (or any Court approval) of the reduction of Special Conditions. The Special Conditions were carefully based upon, among other things, the Presentence Investigation Report, dated May 18, 2022, and the sentencing record.

The parties, including the Probation Department, are directed forthwith to reinstate (and ensure) that the Special Conditions of mental health and drug counseling are weekly (not bi-weekly). Special conditions, particularly mental health counseling, are to be conducted in person

for a minimum 40 minutes per session. *See* Judgment, dated Apr. 13, 2022; *see also* Sent. Tr., dated Apr. 13, 2022, at 25:14–16 (“[M]y personal understanding of these issues is that it will take a longer time and there is a need for more therapy going forward, a significant need.”).

Dated: New York, New York  
November 4, 2024

A handwritten signature in black ink that reads "Richard M. Berman". The signature is written in a cursive, flowing style.

---

**RICHARD M. BERMAN, U.S.D.J.**